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09/966,598	10/01/2001	Takashi Fukuda	101173-00012	3995

7590 07/13/2004	**EXAMINER**
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ART UNIT	PAPER NUMBER
2171	5

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/966,598	FUKUDA ET AL.
	Examiner	Art Unit
	Etienne P LeRoux	2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _21 May 2004_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-20_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _01 October 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Claim Status:

Claims 1-20, pending.

Claims 21-23, withdrawn

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 9, 10 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

US Pat No 5,970,472 issued to Allsop et al (hereafter Allsop) in view of US Pat No 5,794,207

issued to Walker et al (hereafter Walker).

Claim 9:

Allsop discloses:

- said computer refers to a commodity data base [dealer's web site 21, col 4, lines 55-57] based on commodity specifying information transmitted from a user terminal [user's browser 24, Fig 3] to specify a necessary commodity and transmits commodity data of said necessary commodity through a network [Fig 3];

- said computer refers to the dealing shop data base [authorized dealer database 26, Fig 3, col 5, lines 7-13] based on destination information transmitted from said user terminal to extract at least a dealing shop in neighborhood [user initiates a dealer search to locate the nearest web linked dealer, col 8, lines 39-49] of said destination and transmits dealing shop data of said dealing shop through said network [Fig 3]; and

- said computer transmits an order sheet [purchase products on-line, col 6, lines 4-5, shopping basket 51, Fig 6, hypertext pages 53, Fig 6, col 7, lines 45-50] through said network [Fig 3]

Allsop discloses the elements of claim 9 as noted above.

Allsop fails to disclose having dealing shop database of dealing shops carrying out inspection, repair and delivery of the commodity data, including address.

Walker discloses having dealing shop database of dealing shops carrying out inspection, repair and delivery of the commodity data, including address [col 2, lines 27-33].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Allsop to include having dealing shop database of dealing shops carrying

out inspection, repair and delivery of the commodity data, including address as taught by

Walker.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above

for the purpose of providing repair service to a customer from an authorized dealer so that the

customer can be assured of high quality repair services.

Claim 10:

Allsop discloses said computer refers to a commodity data base [dealer's web site 21, col

4, lines 55-57] based on commodity specifying information transmitted from a user terminal

[user's browser 24, Fig 3] to specify a necessary commodity and transmits commodity data of

said necessary commodity through a network [Fig 3]; said computer refers to the dealing shop

data base [authorized dealer database 26, Fig 3, col 5, lines 7-13] based on destination

information transmitted from said user terminal to extract at least a dealing shop in neighborhood

[user initiates a dealer search to locate the nearest web linked dealer, col 8, lines 39-49] of said

destination and transmits dealing shop data of said dealing shop through said network [Fig 3];

said computer specifies a necessary dealing shop [authorized dealer database 26, Fig 3, col 5,

lines 7-13] from among said extracted dealing shops based on dealing shop specifying

information transmitted from said user terminal [user's browser 24, Fig 3] and transmits dealing

shop detailed data of said specified dealing shop through said network [authorized dealer

database 26, Fig 3, col 5, lines 7-13]; and said computer transmits an order sheet [purchase

products on-line, col 6, lines 4-5, shopping basket 51, Fig 6, hypertext pages 53, Fig 6, col 7,

lines 45-50] through said network [Fig 3].

Allsop discloses the elements of claim 10 as noted above.

Allsop fails to disclose having dealing shop database of dealing shops carrying out

inspection, repair and delivery of the commodity data, including address.

Walker discloses having dealing shop database of dealing shops carrying out inspection,

repair and delivery of the commodity data, including address [col 2, lines 27-33].

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Allsop to include having dealing shop database of dealing shops carrying

out inspection, repair and delivery of the commodity data, including address as taught by

Walker.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above

for the purpose of providing repair service to a customer from an authorized dealer so that the

customer can be assured of high quality repair services.

Claim 19:

Allsop discloses said computer refers to a commodity data base [dealer's web site 21, col

4, lines 55-57] based on commodity specifying information regarding a commodity to be dealt

with as a gift transmitted from a user terminal [user's browser 24, Fig 3] to specify a necessary

commodity and transmits commodity data of said necessary commodity through a network; said

computer refers to the dealing shop data base [authorized dealer database 26, Fig 3, col 5, lines

7-13] based on consignee information regarding a consignee of said gift transmitted from said

user terminal to extract at least a dealing shop in neighborhood of said consignee and transmits

dealing shop data of said extracted dealing shop through said network [Fig 3]; and said computer

transmits an order sheet [purchase products on-line, col 6, lines 4-5, shopping basket 51, Fig 6,

hypertext pages 53, Fig 6, col 7lines 45-50] through said network.

Examiner Notes:

The above phrase "regarding a commodity to be dealt with as a gift" is drawn to intended

use and is not given patentable weight.

Allsop discloses the elements of claim 19 as noted above.

Allsop fails to disclose having dealing shop database of dealing shops carrying out

inspection, repair and delivery of the commodity data, including address.

Walker discloses having dealing shop database of dealing shops carrying out inspection,

repair and delivery of the commodity data, including address [col 2, lines 27-33].

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Allsop to include having dealing shop database of dealing shops carrying

out inspection, repair and delivery of the commodity data, including address as taught by

Walker.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above

for the purpose of providing repair service to a customer from an authorized dealer so that the

customer can be assured of high quality repair services.

Claim 20:

Allsop discloses said computer refers to a commodity data base [dealer's web site 21, col

4, lines 55-57] based on commodity specifying information regarding a commodity to be dealt

with as a gift transmitted from a user terminal [user's browser 24, Fig 3] to specify a necessary

commodity and transmits commodity data of said necessary commodity through a network [Fig

3]; said computer refers to a dealing shop data base [authorized dealer database 26, Fig 3, col 5,

lines 7-13] based on consignee information regarding a consignee of said gift transmitted from

said user terminal [user's browser 24, Fig 3] to extract at least a dealing shop [authorized dealer

database 26, Fig 3, col 5, lines 7-13] in neighborhood [user initiates a dealer search to locate the

nearest web linked dealer, col 8, lines 39-49] of said consignee and transmits dealing shop data

of said extracted dealing shop through said network [Fig 3]; said computer specifies a necessary

dealing shop [authorized dealer database 26, Fig 3, col 5, lines 7-13] from among said extracted

shops based on dealing shop specifying information transmitted from said user terminal

[purchase products on-lines, col 6, lines 4-5, shopping basket 51, Fig 6, hypertext pages 53, Fig

6, col 7, lines 45-50] and transmits dealing shop detailed data of said necessary dealing shop

through said network; and said computer transmits an order sheet through said network

> Examiner Notes:

> The above phrase "regarding a commodity to be dealt with as a gift" is drawn to intended

> use and is not given patentable weight

> Allsop discloses the elements of claim 20 as noted above.

> Allsop fails to disclose having dealing shop database of dealing shops carrying out

inspection, repair and delivery of the commodity data, including address.

> Walker discloses having dealing shop database of dealing shops carrying out inspection,

repair and delivery of the commodity data, including address [col 2, lines 27-33].

> It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Allsop to include having dealing shop database of dealing shops carrying

out inspection, repair and delivery of the commodity data, including address as taught by

Walker.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above

for the purpose of providing repair service to a customer from an authorized dealer so that the

customer can be assured of high quality repair services.

Claims 1-8 and 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US

Pat No 5,970,472 issued to Allsop et al (hereafter Allsop) in view of US Pat No 6,680,919 issued

to Rauhala (hereafter Rauhala).

Claim 1:

Allsop discloses an electronic commercial transaction system including a server and a

plurality of user terminals capable of communicating with each other through a network, said

server comprising:

- a commodity database having commodity data of various kinds of commodities

  recorded so as to be retrieved [dealer's web site 21, col 4, lines 55-57]

- a dealing shop database having dealing shop data of dealing shops carrying out

  delivery of said commodities including address recorded so as to be retrieved

  [authorized dealer database 26, Fig 3, col 5, lines 7-13];

- commodity specifying means for referring to said commodity database based on

  commodity specifying information transmitted from said user terminal to specify

  a necessary commodity [user's computer 20, Fig 3, col 4, lines 55-60];

- dealing shop extracting means for referring to said dealing shop database based on

  destination information transmitted from said user terminal to extract at least a

dealing shop in neighborhood of said destination [user initiates a dealer search to locate the nearest web linked dealer, col 8, lines 39-49].

- server side transmission means for transmitting commodity data of said commodity specified by said commodity specifying means, dealing shop data of said dealing shop extracted by said dealing shop extracting means and an order sheet to said user terminal [shopping basket 51, Fig 6 and col 7, lines 46-58]

- user terminal display means for displaying said commodity data, said dealing shop data and said order sheet transmitted from said server side transmission means on a display surface [user's browser 24, Fig 3]; and

- user terminal side transmission means for transmitting said commodity specifying information, said destination information and an order sheet input information to said server [purchase products on-line, col 6, lines 4-5, shopping basket 51, Fig 6, hypertext pages 53, Fig 6, col 7, lines 45-50].

Allsop discloses the elements as noted above.

Allsop fails to disclose a dealing shop database having dealing shop data of dealing shops carrying out inspection and repair.

Rauhala discloses a dealing shop database having dealing shop data of dealing shops carrying out inspection and repair [col 4, lines 24-35].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Allsop to include a dealing shop database having dealing shop data of dealing shops carrying out inspection and repair as taught by Rauhala.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above

for the purpose of locating service centers for a particular product.

Claim 2:

Allsop discloses the elements of claim 1 as noted above.

Allsop fails to disclose wherein said dealing shop data of said dealing shop extracted by

said dealing shop extracting means include a map of neighborhood of said destination showing

places of said destination and said extracted dealing shop, and said display means of said user

terminal displays said map.

Rauhala discloses wherein said dealing shop data of said dealing shop extracted by said

dealing shop extracting means include a map of neighborhood of said destination showing places

of said destination and said extracted dealing shop, and said display means of said user terminal

displays said map [col 2, lines 25-31].

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Allsop to include wherein said dealing shop data of said dealing shop

extracted by said dealing shop extracting means include a map of neighborhood of said

destination showing places of said destination and said extracted dealing shop, and said display

means of said user terminal displays said map.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above

for the purpose of locating a service center for a particular product.

Claim 3:

Allsop discloses a commodity data base [dealer's web site 21, col 4, lines 55-57] having

commodity data of various kinds of commodities recorded so as to be retrieved; a dealing shop

data base [authorized dealer database 26, Fig 3, col 5, lines 7-13] having dealing shop data of

dealing shops carrying out delivery of said commodities including address recorded so as to be

retrieved; commodity specifying means [user's terminal 20, Fig 3, col 4, lines 55-60] for

referring to said commodity data base based on commodity specifying information transmitted

from a user terminal through a network to specify a necessary commodity; dealing shop

extracting means [user initiates a dealer search to locate the nearest web linked dealer, col 8,

lines 39-49] for referring to said dealing shop data base based on destination information

transmitted from said user terminal through said network to extract at least a dealer shop in

neighborhood of said destination; and server side transmission means [shopping basket 51, Fig 6

and col 7, lines 46-58] for transmitting commodity data of said commodity specified by said

commodity specifying means, dealing shop data of said dealing shop extracted by said dealing

shop extracting means and an order sheet to said user terminal [purchase products on-line col 6,

lines 4-5].

Allsop discloses the elements as noted above.

Allsop fails to disclose a dealing shop database having dealing shop data of dealing shops

carrying out inspection and repair.

Rauhala discloses a dealing shop database having dealing shop data of dealing shops

carrying out inspection and repair [col 4, lines 24-35].

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Allsop to include a dealing shop database having dealing shop data of

dealing shops carrying out inspection and repair as taught by Rauhala.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above

for the purpose of locating service centers for a particular product.

Claim 4:

The combination of Allsop and Rauhala discloses the elements of claim 3 as noted above.

Allsop discloses wherein said server has dealing shop specifying means for specifying a

necessary dealing shop from among said dealing shops extracted by said dealing shop extracting

means based on dealing shop specifying information transmitted from said user terminal through

said network, and said server side transmission means transmits detailed data of said dealing

shop specified by said dealing shop specifying means to said user terminal [col 5, lines 22-40].

Claim 5:

The combination of Allsop and Rauhala discloses the elements of claim 3 as noted above.

Rauhala discloses wherein said dealing shop data of said dealing shop extracted by said

dealing shop extracting means include a map of neighborhood of said destination showing places

of said destination and said extracted dealing shop [col 4, lines 24-35].

Claim 6:

Allsop discloses:

- access means for obtaining access to a server including a commodity data base having

  commodity data of various kinds of commodities recorded so as to be retrieved [dealer's

  web site 21, col 4, lines 55-57],

- and dealing shop data base having dealing shop data of dealing shops carrying out

  delivery of said commodities including address recorded so as to be retrieved [authorized

  dealer database 26, Fig 3, col 5, lines 7-13];

- display means for displaying said commodity data, said dealing shop data and an order

  sheet transmitted from said server on a display surface [user's browser 24, Fig 3];

- and user side transmission means for transmitting commodity specifying information,

  destination information and order sheet input information to said server through said

  network [purchase products on-line, col 6, lines 4-5, shopping basket 51, Fig 6, hypertext

  pages 53, Fig 6, lines 45-50].

Allsop discloses the elements as noted above.

Allsop fails to disclose a dealing shop database having dealing shop data of dealing shops

carrying out inspection and repair.

Rauhala discloses a dealing shop database having dealing shop data of dealing shops

carrying out inspection and repair [col 4, lines 24-35].

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Allsop to include a dealing shop database having dealing shop data of

dealing shops carrying out inspection and repair as taught by Rauhala.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above

for the purpose of locating service centers for a particular product.

Claim 7:

The combination of Allsop and Rauhala discloses the elements of claim 6 as noted above.

Allsop discloses wherein said user side transmission means transmits dealing shop

specifying information for specifying a dealing shop, and said display means displays detailed

data of said specified dealing shop [col 5, lines 22-40, col 8, lines 39-49].

Claim 8:

The combination of Allsop and Rauhala discloses the elements of claim 6 as noted above.

Rauhala discloses wherein said dealing shop data include a map of neighborhood of said

destination showing places of said destination and said extracted dealing shop, and said display

means displays said map [Rauhala, col 4, lines 24-35].

Claim 11:

Allsop discloses a commodity data base [dealer's web site 21, col 4, lines 55-57] having

commodity data of various kinds of commodities recorded so as to be retrieved; a dealing shop

data base [authorized dealer database 26, Fig 3, col 5, lines 7-13] having dealing shop data of

dealing shops carrying out delivery of said commodities including address recorded so as to be

retrieved; commodity specifying means [user's computer 20, Fig 3, col 4, lines 55-60] for

referring to said commodity data base based on commodity specifying information regarding a

commodity to be dealt with as a gift transmitted from said user terminal to specify a necessary

commodity; dealing shop extracting means [user initiates a dealer search to locate the nearest

web linked dealer, col 8, lines 39-49] for referring to said dealing shop data base based on

consignee information regarding a consignee of said gift transmitted from said user terminal

user's browser 24, Fig 3] to extract at least a dealing shop in neighborhood of said consignee

[user initiates a dealer search to locate the nearest web linked dealer, col 8, lines 39-49]; and

server side transmission means for transmitting commodity data of said commodity specified by

said commodity specifying means, dealing shop data of said dealing shop extracted by said

dealing shop extracting means and an order sheet to said user terminal shopping basket 51, Fig 6

and col 7, lines 46-58], said user terminal comprising: display means for displaying said

commodity data [user's browser 24, Fig 3], said dealing shop data and said order sheet

transmitted from said server side transmission means on a display surface; and user terminal side

transmission means for transmitting said commodity specifying information, said consignee

information and an order sheet input information to said server purchase products on=line, col 6,

lines 4-5, shopping basket 51, Fig 6, hypertext pages 53, Fig 6, col 7, lines 45-50].

Allsop discloses the elements as noted above.

Allsop fails to disclose a dealing shop database having dealing shop data of dealing shops

carrying out inspection and repair.

Rauhala discloses a dealing shop database having dealing shop data of dealing shops

carrying out inspection and repair [col 4, lines 24-35].

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Allsop to include a dealing shop database having dealing shop data of

dealing shops carrying out inspection and repair as taught by Rauhala.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above

for the purpose of locating service centers for a particular product.

Examiner Notes:

The above phrase "regarding a commodity to be dealt with as a gift" is drawn to intended

use and is not given patentable weight.

Claim 12:

The combination of Allsop and Rauhala discloses the elements of claim 11 as noted above.

Rauhala discloses wherein said dealing shop data of said dealing shop extracted by said dealing shop extracting means include a map of neighborhood of said consignee showing places of said consignee and said dealing shop, and said display means of said user terminal displays said map [col 4, lines 24-35].

Claim 13:

Allsop discloses a commodity data base [dealer's web site 21, col 4, lines 55-57] having commodity data of various kinds of commodities recorded so as to be retrieved; a dealing shop data base [authorized dealer database 26, Fig 3, col 5, lines 7-13] having dealing shop data of dealing shops carrying out delivery of said commodities including addresses recorded so as to be retrieved; commodity specifying means [user's computer 20, Fig 3, col 4, lines 55-60] for referring to said commodity data base based on commodity specifying information regarding a commodity to be dealt with as a gift transmitted from a user terminal to specify a necessary commodity; dealing shop extracting means [user initiates a dealer search to locate the nearest web linked dealer, col 8, lines 39-49] for referring to said dealing shop data base based on consignee information regarding a consignee of said gift transmitted from said user terminal to extract at least a dealing shop in neighborhood of said consignee; and server side transmission means for transmitting commodity data of said commodity specified by said commodity specifying means [shopping basket 51, Fig 6 and col 7, lines 46-58], dealing shop data of said dealing shop extracted by said dealing shop extracting means and an order sheet to said user terminal

Allsop discloses the elements as noted above.

Allsop fails to disclose a dealing shop database having dealing shop data of dealing shops carrying out inspection and repair.

Rauhala discloses a dealing shop database having dealing shop data of dealing shops carrying out inspection and repair [col 4, lines 24-35].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Allsop to include a dealing shop database having dealing shop data of dealing shops carrying out inspection and repair as taught by Rauhala.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above for the purpose of locating service centers for a particular product.

Examiner Notes:

The above phrase "regarding a commodity to be dealt with as a gift" is drawn to intended use and is not given patentable weight.

Claim 14:

The combination of Allsop and Rauhala discloses the elements of claim 13 as noted above.

Allsop discloses wherein said server has dealing shop specifying means for specifying a necessary dealing shop from among dealing shops extracted by said dealing shop extracting means based on dealing shop specifying information transmitted from said user terminal through a network, and said server side transmission means transmits detailed data of dealing shop specified by said dealing shop specifying means to said user terminal [user initiates a dealer search to locate the nearest web linked dealer, col 8, lines 39-49].

Claim 15:

The combination of Allsop and Rauhala discloses the elements of claim 13 as noted above.

Rauhala discloses wherein said dealing shop data of said dealing shop extracted by said dealing shop extracting means include a map of neighborhood of said consignee showing places of said consignee and said dealing shop col 4, lines 24-35].

Claim 16:

Allsop discloses access means for obtaining access to a server including a commodity data base [dealer's web site 21, col 4, lines 55-57] having commodity data of various kinds of commodities recorded so as to be retrieved, and dealing shop data base [authorized dealer database 26, Fig 3, col 5, lines 7-13] having dealing shop data of dealing shops carrying out delivery of said commodities including addresses recorded so as to be retrieved [user initiates a dealer search to locate the nearest web linked dealer, col 8, lines 39-49]; display means for displaying said commodity data [user's browser 24, Fig 3], said dealing shop data and an order sheet transmitted from said server on a display surface; and user side transmission means for transmitting commodity specifying information for specifying a necessary commodity from said commodity data base, consignee information for extracting a dealing shop in neighborhood of said consignee of said gift from said dealing shop data base and an order sheet input information through a network to said server [purchase products on-line, col 6, lines 4-5, shopping basket 51, Fig 6, hypertext pages 53, Fig 6, col 7, lines 45-50]

Allsop discloses the elements as noted above.

Allsop fails to disclose a dealing shop database having dealing shop data of dealing shops

carrying out inspection and repair.

Rauhala discloses a dealing shop database having dealing shop data of dealing shops

carrying out inspection and repair [col 4, lines 24-35].

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Allsop to include a dealing shop database having dealing shop data of

dealing shops carrying out inspection and repair as taught by Rauhala.

The ordinarily skilled artisan would have been motivated to modify Allsop per the above

for the purpose of locating service centers for a particular product

Examiner Notes:

The above phrase "a dealing shop in neighborhood of said consignee of said gift" is drawn to

intended use and is not given patentable weight.

Claim 17:

The combination of Allsop and Rauhala discloses the elements of claim 16 as noted

above. Allsop discloses wherein said user side transmission means transmits dealing shop

specifying information for specifying a dealing shop, and said display means displays detailed

data of said specified dealing shop.

Claim 18:

The combination of Allsop and Rauhala discloses the elements of claim 16 as noted

above. Rauhala discloses wherein said dealing shop data include a map of neighborhood of said

consignee showing places of said consignee and said extracted dealing shop, and said display

means displays said map [col 4, lines 24-35].

Response to Arguments

Applicant's arguments filed 5/21/2004, have been fully considered but they are not

persuasive.

First Applicant Argument:

Applicant states in the paragraph joining pages 20 and 21, "The Allsop et al patent does

not disclose or suggest a record medium comprising, in pertinent part, a computer having dealing

shop database of dealing shops carrying out inspection, repair and delivery of commodity data

including address recorded so as to be retrieved.

Examiner Responds:

Examiner is not persuaded that the amendment of claims 9, 10, 19 and 20 to include

supra limitation makes the claims allowable. Examiner provides a new art rejection over Allsop

in view of Walker. Applicant is referred to above Office Action for further details.

Second Applicant Argument:

Applicant states in the second paragraph on page 23 "It is submitted that the Allsop et al

patent and the Rauhala patent, alone or in alleged combination, do not disclose or suggest the

electronic commercial transaction systems, servers or user terminals, as claimed in these

independent claims. Indeed, as noted by the examiner, the Allsop et al patent fails to disclose a

dealing shop database having dealing shop data of dealing shops carrying out inspection and

repair. Relying on Rauhala patent as the secondary reference, the Examiner continues by stating

that the Rauhala patent discloses a dealing shop database carrying out inspection and repair.

Examiner Responds:

Examiner is not persuaded. Rauhala in column 4, lines 30-35, discloses a list of local

dealers or repair centers which can be downloaded electronically.

Third Applicant Argument:

Applicant states in the second paragraph on page 24 "Furthermore, there is no suggestion

to combine the Allsop et al patent and the Rauhala patent that such alleged combination would

result in the claimed invention. Specifically, the Allsop et al patent is directed to resolving the

issue of providing dealer authorization information to a remote processing system in an

electronic commerce transaction while the Rauhala patent is directed to resolving MCT-location

related communications service problems arising when a GPS-capable MCT enters a service area

that differs from the home service area of the MCT. Thus, there is no suggestion for a person of

ordinary skill in the art to combine the references or to modify them, as suggested by the

examiner, that would then result in the claimed invention. Even if the references were indeed

combined, as suggested, such alleged combination would not result in the present claimed

invention."

Examiner Responds:

Examiner is not persuaded. In response to applicant's argument that there is no

suggestion to combine the references, the examiner recognizes that obviousness can only be

established by combining or modifying the teachings of the prior art to produce the claimed

invention where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in the art.

See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347,

21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Allsop provides a method of downloading

information regarding authorized dealers but is silent regarding authorized dealers providing

repair services. Rauhala discloses authorized dealers that provide repair services. It would have

been obvious to one of ordinary skill in the art at the time the invention was made to modify

Allsop to include authorized dealers that provide repair services. The ordinarily skilled artisan

would have been motivated to modify Allsop per the above to ensure that customers obtain high-

quality repair services.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306

Etienne LeRoux

7/6/2004

S^^ET METJAHIC
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